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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,785

11/03/2003

Min-Chih Hsuan

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5503

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07/11/2007

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EXAMINER

DIEP, NHON THANH

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

07/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/700,785

Applicant(s)

HSUAN, MIN-CHIH

Examiner

Nhon T. Diep

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Fernandez (US 2004/0260669 A1).

Fernandez discloses a network extensible reconfigurable media appliance comprising the same integrated audio/video sensor, comprising: an image-receiving module for sensing an image; a sound receiving module for sensing a sound; and a

signal transforming module for transforming the received image and the received sound into an audio/video signal (fig. 1a, el. 120 and paragraphs 0017, 0019, 0021 and 0030), as specified in claims 1 and 8.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art of figures 1 and 2.

Admitted prior art of figure 1 discloses an image-receiving module for sensing an image; and a signal-transforming module for transforming the received image video signal and admitted prior art of figure 1 discloses a sound-receiving module for sensing a sound; and a signal-transforming module for transforming the received sound into an audio signal. It is noted that figures 1 and 2 are separate devices and are not a single, integrated system or system on a chip as specified in claims 1 and 8. It is obvious that combining two separate sensors as shown in figures 1 and 2 into a single, integrated audio/video sensor would be merely a matter of obvious engineering choice (In re Larson, 144 USPQ 347 (CCPA 1965) and In re Fridolph, 50 CCPA 745, 89 F.2d 509, 135 USPQ 319) and that would not involve any inventive step.

Re claim 2: The combination of admitted prior art of figures 1 and 2 would meet limitations claimed in claims 2 and 9.

Re claims 3 and 10: Paragraph 0003) shows that the image-sensing chip comprises a complementary metal-oxide-semiconductor (CMOS) image-sensing module or a charged coupled device (CCD).

Re claims 4 and 11: The combination of two admitted prior art of figures 1 and 2 would provide the signal-transforming module, which is fabricated by a multi-chip module (MCM) method or a system on a chip (SOC) method.

Re claims 5 and 12: The combination of two admitted prior art of figures 1 and 2 would provide the signal-transforming module transforms the received image and the received sound and as is well known in the pertinent art, processing images and sounds synchronously would help to save time.

Re claims 6 and 12: The combination of two admitted prior art of figures 1 and 2 would provide the audio/video signal comprises a video signal component and an audio signal component.

Re claims 7 and 14: The examiner takes Official Notice that it is well known to one of ordinary skilled in the pertinent art that condenser microphone is part of common sound system and is used to pick-up sound. And, therefore, it would have been obvious to provide a condenser microphone into the system of the combination of admitted prior art of figures 1 and 2. Doing so would help to increase the sensitivity of the sound pick up system.

Conclusion

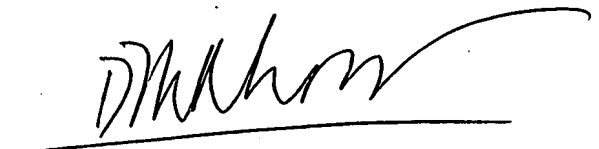
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Kiko (US 2005/0125083) discloses an automatic apparatus and methods.
 - b. Teeple (US 2002/0133566) discloses enhanced multimedia mobile content delivery and message system using load balancing
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ND
6/24/2007



**NHON DIEP
PRIMARY EXAMINER**